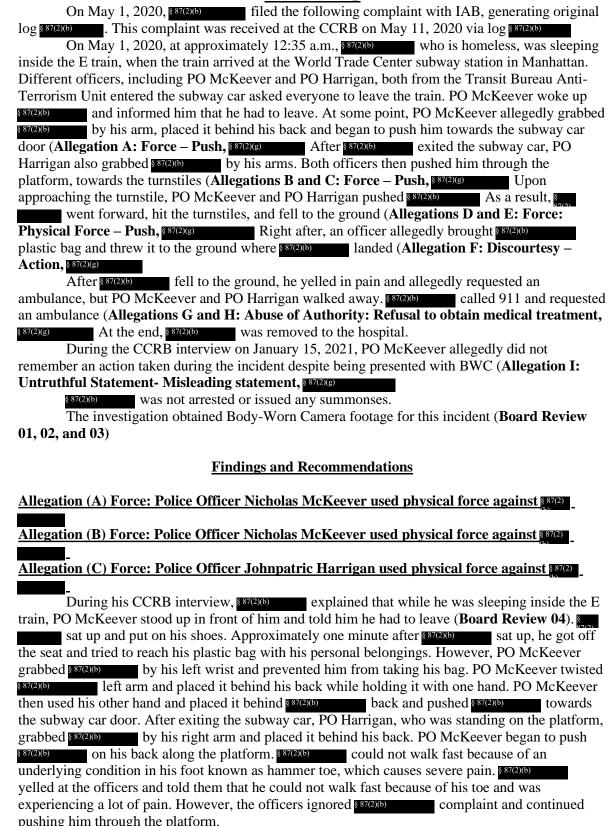
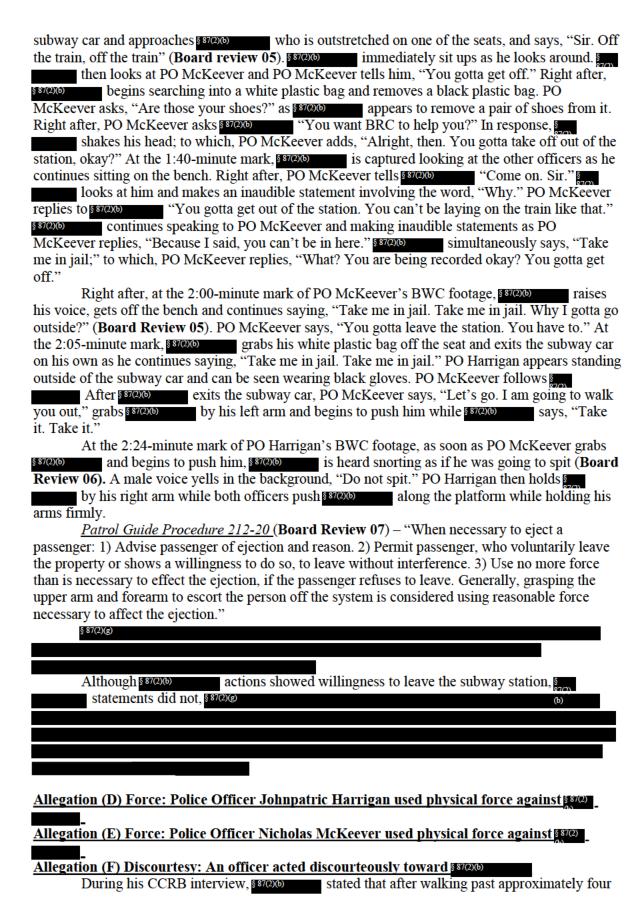
CCRB INVESTIGATIVE RECOMMENDATION

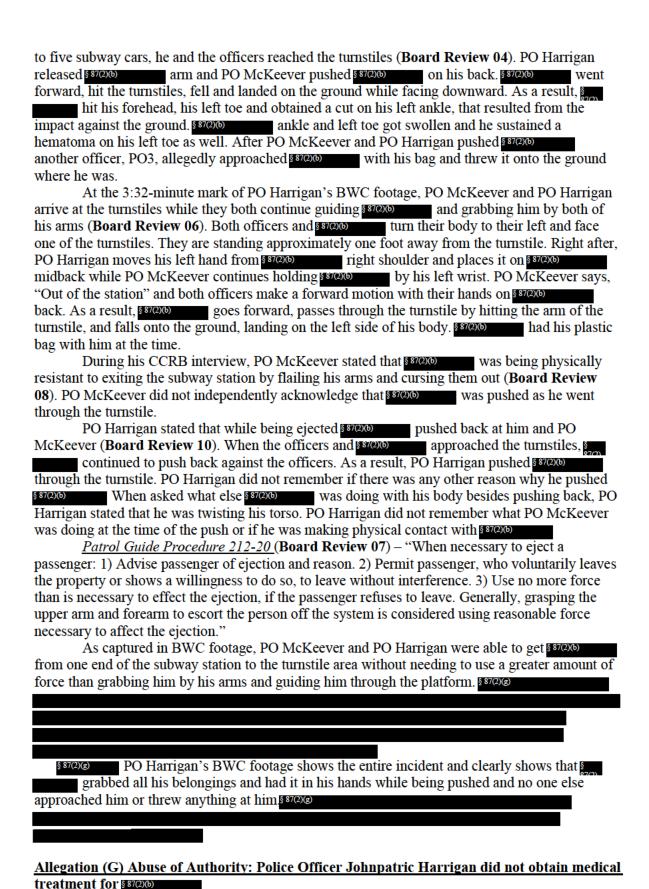
Investigator:		Team:	CCRB Case #:	M	Force	V	Discourt.	M U	J.S.
Juan Arango		Squad #9	202003167	Ι.	Abuse		O.L.		njury
		_				_			
Incident Date(s)		Location of Incident:		P	recinct:	18	Mo. SOL	EO	SOL
Friday, 05/01/2020 12:35 AM		E train platform (WTC	stop)		01	1	1/1/2021	5/4/	/2022
Date/Time CV Reported		CV Reported At:	How CV Reported:		Date/Time	Rece	eived at CCI	B.	
Mon, 05/11/2020 11:32 AM		IAB	Phone		Mon, 05/1	1/202	0 11:32 AN	Л	
Complainant/Victim	Type	Home Addre	ess						
Subject Officer(s)	Shield	TaxID	Command						
1. An Officer									
2. POM Johnpatric Harrigan	18227	950561	TB ATU						
3. POM Nicholas Mckeever	25164	950867	TB ATU						
Officer(s)	Allegatio	on			Inve	stiga	tor Recon	ımend	ation
A.POM Nicholas Mckeever		olice Officer Nicholas M inst § 87(2)(6)	lcKeever used physi	cal					
B.POM Nicholas Mckeever		olice Officer Nicholas M inst § 87(2)(b)	IcKeever used physi	cal					
C.POM Johnpatric Harrigan	Force: Police Officer Johnpatric Harrigan used physical force against \$87(2)(0)								
D.POM Johnpatric Harrigan	Force: Police Officer Johnpatric Harrigan used physical force against \$87(2)(0)								
E.POM Nicholas Mckeever		olice Officer Nicholas M inst § 87(2)(b)	IcKeever used physi	cal					
F. An Officer	Discourte	esy: An officer acted dis	courteously toward	87(2) h)					
G.POM Johnpatric Harrigan	Abuse: P medical t	olice Officer Johnpatric reatment for ^{§ 87(2)(6)}	Harrigan did not ob	tain					
H.POM Nicholas Mckeever		olice Officer Nicholas M reatment for § 87(2)(6)	AcKeever did not ob	tain					
I.POM Nicholas Mckeever	Untruthful Stmt.: Police Officer Nicholas McKeever provided a misleading official statement to the CCRB.								

Case Summary



At the 1:00-minute mark of PO McKeever's BWC footage, PO McKeever enters the





CCRB Case # 202003167

Allegation (H) Abuse of Authority: Police Officer Nicholas McKeever did not obtain medical

treatment for \$87(2)(6)
stated that after he fell to the ground, he began to yell in pain and asked for an
ambulance; however, no one paid attention to him (Board Review 04). PO McKeever and PO
Harrigan did not say anything to say and walked away along the platform in the direction
of where they came from. While \$87000 was on the ground, he called 911 and requested an
ambulance. Approximately 20 minutes later, EMS arrived on scene and transported him to the
hospital.
PO McKeever's second BWC footage begins at 4:43:36 a.m. while he and PO Harrigan are
in front of \$87(2)(b) who is laying down on the ground, next to the turnstile where he was
pushed (Board Review 11). At the 3:53-minute mark (4:47:29 timestamp) of PO McKeever's
second BWC footage, PO McKeever picks up his radio and says, "Can you have a bus respond to
chambers on the A." At the 21:05-minute mark (5:04:41 timestamp) two EMTs arrived on scene.
PO Mckeever's BWC footage captures PO McKeever requesting an ambulance
for \$87(2)(0) over the radio, \$87(2)(2)
Allegation (I) Untruthful Statement: Police Officer Nicholas McKeever provided a misleading
official statement to the CCRB.
It is undisputed that PO McKeever was facing \$87(2)(0) after \$87(2)(0) was pushed
and fell to the ground.
During his CCRB interview on January 15, 2021, PO McKeever initially testified that once
they approached the turnstile with \$57000 They exited him through the turnstile" and they
walked away to continue ejecting other people and after they returned to the turnstile, they observed
on the ground (Board Review 08). When he was asked to clarify what he meant by
"exiting him through the turnstile," PO McKeever said, "We escorted him through the turnstile
because he did not want to exit." PO McKeever said \$87000 was being physically resistant by
flailing his arms and cursing them out. PO McKeever was then asked if \$87000 was standing
or on the ground the last time, he saw him, and PO McKeever said that he only remembered
"putting \$870,00 though the turnstile. When asked to clarify, PO McKeever said that he was
making physical contact with \$87(2)(6) when he went through the turnstile. Upon providing PO
McKeever with the push allegation, he stated that he did not remember any pushing. When
presented with PO Harrigan's BWC footage that captures when strong is pushed and asked if
the video brought back his independent recollection of this portion of the incident, PO McKeever
said, "I just remember moving him from the station, that's it" (Board Review 09). After describing
into the record how §87(2)(6) was pushed and fell to the ground, PO McKeever was given an
opportunity to add something to his statement; to which, he said no. PO McKeever was also
presented with his BWC footage, which captures the turnstile and \$87(2)(0) after he falls to the
ground. When asked if he was aware that \$87(2)(0) fell to the ground after watching the video,
PO McKeever said, "I just remember putting him through the turnstile." PO McKeever then said
that he did not remember the time when \$87(2)(0) fell to the ground.
Patrol Guide Procedure 203-08 (Board Review 13). A misleading statement is a
statement intended to misdirect the investigation and alter the narrative by making repeated claims
of not recalling the incident when a reasonable person in a similar circumstance would have
recalled.
PO McKeever provided a full statement regarding this incident; however, even after being
shown video footage, he continued to deny recalling pushing \$87(2)(6) through the turnstile and
repeatedly claimed that he only remembered "putting \$57(2)(0) through the turnstile."
(g)

CCRB CTS – Confidential Page 4

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which has been a party (**Board Review** 14).
- PO McKeever has been a member of service for ten years and this is the first CCRB complaint to which he has been a subject (see officer history).
- PO Harrigan has been a member of service for ten years and has been a subject in two other CCRB complaint, none of which were [8870] (see officer history).

Mediation, Civil and Criminal Histories

This complaint was unsuitable for mediation.

[§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

 As of August 4, 2021, the NYC Office of the comptroller has no record of a Notice of Claim being filed with regards to this complaint (Board Review 16).

Squad No.:	9		
Investigator: _	Juan Arango Signature	Inv. Juan Arango Print Title & Name	11/03/2021
Squad Leader: _	Monique West Signature	IM Monique West Print Title & Name	11/08/2021 Date
Reviewer:	Signature	Print Title & Name	 Date